

From: [Gary Moore](#)
To: [Rafael Casanova](#)
Cc: [Anna Milburn](#); [Gloria-Small Moran](#); [Kenneth Shewmake](#)
Subject: Re: Falcon Refinery - Disposal of Liquids Onsite
Date: 06/02/2011 01:51 PM

Raphael:

I conferred with Melissa Smith and Joel Dougherty with RCRA and the liquid phase can be drawn off and treated onsite under a TCEQ land application permit if one is issued. I also talked with Jon Rauscher and he indicated not problem with doing this. The liquid will have to be tested and provided to the TCEQ for evaluation for a land application permit. The water will likely require treatment to get rid of any hydrocarbons fractions that may exist to some small degree. The sludge in the tanks are a listed waste. The K052 (leaded gasoline tank) code is wrong as they never produced leaded gasoline that I am aware of. It would be a K169 (crude oil storage tank bottoms).

Thanks

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▼ Rafael Casanova---06/01/2011 03:31:31 PM---Gary, doesn't RCRA need to be involved with the disposal of these liquids? It seems that if a hazard

From: Rafael Casanova/R6/USEPA/US
To: Gary Moore/R6/USEPA/US@EPA
Cc: Gloria-Small Moran/R6/USEPA/US@EPA, Kenneth Shewmake/R6/USEPA/US@EPA, Anna Milburn/R6/USEPA/US@EPA
Date: 06/01/2011 03:31 PM
Subject: Re: Falcon Refinery - Disposal of Liquids Onsite

Gary, doesn't RCRA need to be involved with the disposal of these liquids? It seems that if a hazardous waste was previously in the tanks and rainfall collected there, wouldn't the liquids be considered a hazardous waste due to the mixture rule. The HRS mentioned K052 tank bottom sludge wastes present at the Site.

Let me know what you think.

Rafael Casanova, P.G. (Remedial Project Manager, Environmental Scientist)
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Assigned Sites for Investigation and Remediation:
(<http://www.epa.gov/earth1r6/6sf/6sf-tx.htm>):
Brine Service Company Superfund Site (Corpus Christi, Texas)
Falcon Refinery Superfund Site (Ingleside, Texas)



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Many Diversified Interests, Inc. Superfund Site (Houston, Texas)
Palmer Barge Line Superfund Site (Port Arthur, Texas)
State Marine of Port Arthur Superfund Site (Port Arthur, Texas)

▼ Gary Moore---06/01/2011 01:32:13 PM---Raphael: I have already discussed this with Jon Rauscher as Anna was not in the office. I will also

From: Gary Moore/R6/USEPA/US
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Cc: Kenneth Shewmake/R6/USEPA/US@EPA, Anna Milburn/R6/USEPA/US@EPA, Jon Rauscher/R6/USEPA/US@EPA
Date: 06/01/2011 01:32 PM
Subject: Re: Falcon Refinery - Disposal of Liquids Onsite

Raphael:

I have already discussed this with Jon Rauscher as Anna was not in the office. I will also forward to Shewmake as well. Jon indicated that he would not have an issue with it if it was issued under a permit.

Thanks

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▼ Rafael Casanova---06/01/2011 01:21:45 PM---Gary, the TCEQ's or RRC's approach to calculating cleanup levels for the liquids may be different an

From: Rafael Casanova/R6/USEPA/US
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Cc: Gloria-Small Moran/R6/USEPA/US@EPA
Date: 06/01/2011 01:21 PM
Subject: Re: Falcon Refinery - Disposal of Liquids Onsite

Gary, the TCEQ's or RRC's approach to calculating cleanup levels for the liquids may be different and less conservative than the EPA's under the RI/FS. I would recommend coordination with Anna Milburn and Kenneth Shewmake on final disposal decisions at the Site for the liquids. I am thinking that a less conservative approach to on-site disposal may cause us more work and cleanup under the RI/FS.

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Palmer Barge Line Superfund Site (Port Arthur, Texas)
State Marine of Port Arthur Superfund Site (Port Arthur, Texas)

▼ Gary Moore---06/01/2011 12:22:59 PM---Steve: I am not necessarily opposed to this approach. Of course, I am not sure from which Agency yo

From: Gary Moore/R6/USEPA/US
To: "Halasz, Stephen (Austin,TX-US)" <SHalasz@trcsolutions.com>
Cc: Richard Bergner <rbergner@rflaw.net>, Rafael Casanova/R6/USEPA/US@EPA, Anna Milburn/R6/USEPA/US@EPA, Jon Rauscher/R6/USEPA/US@EPA, Gloria-Small Moran/R6/USEPA/US@EPA
Date: 06/01/2011 12:22 PM
Subject: Re: Falcon Refinery

Steve:

I am not necessarily opposed to this approach. Of course, I am not sure from which Agency you should get the permit. I would assume that it would be from TCEQ since this action is being done under CERCLA. I think you should make contact with both State Agencies and find out from which entity they believe should handle.. I recommend that you go ahead and initiate transfer the water into tank 30. I would expect that any floating oil would be skimmed from tank 30 upon completion of the transfer or prior to being transferred into tank 30 (either way is fine).

Please send me your plan as soon as you have it available for permit request. I would expect that the set up would include the use of temporary tankage for the treated water prior to irrigation. The treated water would have to be tested prior to discharge via irrigation and would have to meet the permit requirements. I would like to see the setup that would be employed to handle the treatment of the water. You also need to make sure that this treatment process will also strip the VOCs that would be released into the air as we don't want to get complaints from the neighbors. I also assume that the proposed location of the irrigation system would be on the west side of the south facility. You may also be required to resample the soil on this portion of the property to confirm no impact. You also need to come up with a Plan B should the State decide not to issue a permit for this activity.

Thanks

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▼ "Halasz, Stephen (Austin,TX-US)" ---06/01/2011 10:47:48 AM---Gary, I discussed the conversation that you and I had with Mr. Bergner this morning. To prevent the

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Cc: Richard Bergner <rbergner@rflaw.net>
Date: 06/01/2011 10:47 AM
Subject: Falcon Refinery

Gary,

I discussed the conversation that you and I had with Mr. Bergner this morning. To prevent the accumulating rainfall in numerous tanks, Mr. Bergner approved the transfer of all liquid waste into Tank 30 the large 200,000 bbl tank. As tanks become empty they will be cleaned based on the addendum work plan and then either repaired or razed.

We would then like to treat the waste in Tank 30 likely with carbon and dispose of the water via a Land Application Permit through either the TCEQ or the RRC.

Unless you object to the transfer of fluids we will begin emptying tank 27 into tank 30 on Monday. Would you prefer that we obtain a Land Application Permit through the TCEQ or the RRC. Refinery waste would go through the TCEQ, however all that is left in the tanks is sludge and rainwater and without being refined crude oil tanks are under the jurisdiction of the RRC. I've completed applications with both agencies in the past year. Please let us know.

Stephen Halasz P.G.
Program Manager
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